IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

Bail Appl..No. 7109 of 2006()

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CRIME NO.20/06 OF KAZHAKKUTTAM POLICE STATION

PETITIONER/1ST ACCUSED (PARTY IN CUSTODY)

KRISHNAKUMAR @ APRANI,
S/O. KRISHNANKUTTY, CHITHAMBARAVILAKATHU VEEDU,
MULLUVILA, THEKKUMBHAGAM MURI,
KAZHAKKUTTAM VILLAGE.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7109 OF 2006

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DATED THIS THE 12TH DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the 1st accused in Crime No.20/06 of Kazhakkuttam Police Station for offences punishable under sections 143, 147, 148, 324 and 308 read with section 149 IPC and section 27 of the Arms Act, 1959, seeks his enlargement on bail. He was arrested on 25.9.2006 in connection with some other crimes and his arrest in this case was recorded on 11.10.2006.

2. Learned Public Prosecutor admitted that no charge sheet has been filed even after 60 days of judicial custody of the petitioner. If so, by virtue of the proviso to section 167(1) Cr.P.C., the petitioner is entitled to bail as of right. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-III, Thiruvananthapuram and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Sundays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn